

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Medical and Health Department – Order of the Honourable Supreme Court of India in Criminal Appeal Nos.144-145 of 2004, dated 05-08-2005 – Booking of cases against Doctors for criminal rashness or negligence of duties under section 304-A Indian Penal Code, 1860 – Certain instructions – Amendment – Issued.

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**HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.2) DEPARTMENT**

**G.O.Ms.No. 273**

**Dated: 08-12-2009.**  
**Read the following:**

1. G.O.Ms.No.323, Health, Medical and Family Welfare (VC.II.2) Department, dated 02-09-2008.
2. From the Director General of Police, Andhra Pradesh, Hyderabad, Letter C.No.5294/Complt-1/2008, dated 23-06-2009.

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**ORDER:**

In the circumstances stated by the Director General of Police, Andhra Pradesh, Hyderabad in his letter 2<sup>nd</sup> read above, Government hereby decided to amend the orders issued in G.O.Ms.No.323, Health, Medical and Family Welfare Department, dated 2.09.2008.

AMENDMENT

In the said orders, in para-3, under the heading guidelines:-

- (a) Serial No.1 shall be omitted.
  - (b) Serial Nos.2, 3 and 4 shall be renumbered as Serial Nos.1, 2 and 3.
  - (c) After Serial No.3 as renumbered the following shall be added namely:-
4. Every doctor whether at a Government Hospital or otherwise is under an obligation to extend his professional services to protect the life of the patients, who approach them of treatment.
  5. It is the duty of the doctor in an emergency to begin treatment of the patient without waiting for the arrival of the police to complete the legal formalities.
  6. On the ground of financial constraint or non-availability of beds in the hospitals / Nursing Homes, Government or private, the patient cannot be denied medical aid in case of emergency.
  7. Current practices, infrastructure, paramedical and other staff, hygiene and sterility should be observed strictly.
  8. No prescription should ordinarily be given without actual examination. The tendency to give prescription over the telephone, except in an acute emergency, should be avoided.
  9. A doctor should not merely go by the version of the patient regarding his symptoms, but should also make his own analysis including tests and investigations wherever and whenever necessary.
  10. A doctor should not experiment unless necessary and even then, he should ordinarily get a written consent from the patient.

(P.T.O.)

11. An expert should be consulted in case of any doubt.
12. Full record of the diagnosis, treatment etc. should be maintained.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**DR. VIJAY KUMAR  
EX-OFFICIO SECRETARY TO GOVERNMENT**

To

All Commissioners of Police in the State.

All Superintendents of Police in the State.

All Station House Officers in the State

(through Commissioner of Police/Superintendent of Police concerned).

The Medical Council of India, New Delhi.

The Indian Medical Association, New Delhi.

The Indian Medical Association, A.P. Branch, Hyderabad.

The Director of Medical Education, A.P. Hyderabad.

The Director of Health, A.P. Hyderabad.

The Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad.

The Commissioner of Family Welfare, A.P. Hyderabad.

**Copy to:**

The Director General and Inspector General of Police, A.P. Hyderabad.

The P.S. to Special Secretary to C.M.

The P.S. to M (H&FW, VVP&HS).

The P.S. to M (ME).

The P.S. to Principal Secretary to Government.

The P.S. to Ex-officio Secretary to Government.

The Home Department.

The Law (E) Department.

SF/SC

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**